

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

VIRNETX INC., et al	§	
	§	
V.	§	CIVIL NO. 6:12-CV-855
	§	
APPLE INC.	§	

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MINUTES FOR JURY SELECTION  
HELD BEFORE JUDGE ROBERT W. SCHROEDER III  
OCTOBER 26, 2020

OPEN: 9:21 a.m.

ADJOURN: 5:53 p.m.

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ATTORNEYS FOR PLAINTIFFS: Brad Caldwell and Johnny Ward

ATTORNEYS FOR DEFENDANT: Mike Jones, Greg Arovas, Jamie Laird and Jeanne  
Heffernan

LAW CLERK: Jacob Vannette

COURTROOM DEPUTY: Betty Schroeder

COURT REPORTER: Shelly Holmes

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9:05-9:15 a.m. In chambers conference

9:21 a.m. Case called; Court welcomes everyone and introduces staff; gives preliminary comments and history of the jury system; gives length of trial and asks for hardships; gives overview of proceedings

9:40 a.m. Panel members introduce themselves

9:51 a.m. Mr. Johnny Ward introduces himself, co-counsel, client and witnesses; Court questions panel members if anyone knows Mr. Ward or anyone mentioned; no response

9:54 a.m. Mr. Mike Jones introduces himself, co-counsel, client and witnesses; Court questions panel members if anyone knows Mr. Jones or anyone mentioned;

response from panel member

9:56 a.m. Court voir dres the panel

10:14 a.m. Recess

10:29 a.m. Mr. Ward begins voir dire for the Plaintiffs

11:00 a.m. Mr. Jones begins voir dire for the Defendant

11:26 a.m. Bench conference

11:27 a.m. Court releases panel except for those who's names were called out; Court gives instructions regarding discussing or researching case; advises that the selected jury members will be notified later today

11:32 a.m. Panel members dismissed

11:33 a.m. Court questions Ms. Carswell; Ms. Carswell responds

11:36 a.m. Mr. Ward questions Ms. Carswell; Ms. Carswell responds

11:37 a.m. No questions from Mr. Jones

11:37 a.m. Ms. Carswell taken out of the courtroom; Court questions Mr. Ward; Mr. Ward responds; Mr. Jones responds; Court responds

11:39 a.m. Court questions Mr. Harris; Mr. Harris responds

11:41 a.m. Mr. Ward questions Mr. Harris; Mr. Harris responds

11:42 a.m. Mr. Jones questions Mr. Harris; Mr. Harris responds

11:43 a.m. Mr. Ward questions Mr. Harris; Mr. Harris responds

11:43 a.m. Mr. Harris taken out of the courtroom; Court questions parties; Mr. Ward responds; Mr. Jones responds; Court responds - Mr. Harris will be released

11:45 a.m. Court advises Mr. Harris that he is released

11:47 a.m. Court questions Ms. Carswell; Ms. Carswell responds

11:49 a.m. Ms. Carswell taken out of the courtroom; Court questions parties; Mr. Ward responds; Mr. Jones responds; Court responds - Ms. Carswell will be released

11:50 a.m. Court advises Ms. Carswell that she is released

11:52 a.m. Recess

2:27 p.m. Case called; parties announce ready; Court welcomes everyone and introduces staff; gives preliminary comments and history of the jury system; gives length of trial and asks for hardships; gives overview of proceedings

2:46 p.m. Panel members introduce themselves

2:58 p.m. Mr. Johnny Ward introduces himself, co-counsel, client and witnesses; Court questions panel members if anyone knows Mr. Ward or anyone mentioned; no response

3:01 p.m. Mr. Mike Jones introduces himself, co-counsel, client and witnesses; Court questions panel members if anyone knows Mr. Jones or anyone mentioned; no response

3:04 p.m. Court voir dres the panel

3:25 p.m. Recess

3:35 p.m. Mr. Ward begins voir dire for the Plaintiffs

4:04 p.m. Mr. Jones begins voir dire for the Defendant

4:32 p.m. Bench conference

4:35 p.m. Court releases panel except for those who's names were called out; Court gives instructions regarding discussing or researching case; advises the selected jury members will be notified later today

4:41 p.m. Panel members released

4:42 p.m. Court questions Ms. Ricketts; Ms. Ricketts responds

4:45 p.m. Mr. Ward questions Ms. Ricketts; Ms. Ricketts responds

4:46 p.m. Mr. Jones questions Ms. Ricketts; Ms. Ricketts responds

4:47 p.m. Court releases Ms. Ricketts until further notification

4:48 p.m. Court questions Mr. Ward and Mr. Jones regarding Ms. Ricketts; parties have no concerns regarding Ms. Ricketts

4:49 p.m. Mr. Ward questions Mr. Riuz; Mr. Riuz responds

4:50 p.m. No questions from Mr. Jones; Court releases Mr. Riuz until further notification

4:51 p.m. Court questions Ms. McFadden; Ms. McFadden responds regarding her hardship; no questions from Mr. Ward; Mr. Jones questions Ms. McFadden; Ms. McFadden responds; Ms. McFadden released until further notification

4:54 p.m. Court, Mr. Ward and Mr. Jones discuss Ms. McFadden's hardship; Ms. McFadden is excused

4:55 p.m. Mr. Ward questions Mr. Mogle; Mr. Mogle responds

4:56 p.m. Mr. Mogle released pending further notification

4:57 p.m. Mr. Jones questions Ms. LaPeyre; Ms. LaPeyre responds

4:58 p.m. Ms. LaPeyre released pending further notification

4:58 p.m. Mr. Ward addresses Mr. Swann and Mr. McCloud; no comment from Mr. Jones; Court will remove Mr. Swann and Mr. McCloud; Ms. Ricketts is fine; no further discussion regarding questioned jurors; Court and parties review strike list; parties agree with remaining panel members

5:05 p.m. Recess

5:23 p.m. Court reviews and announces selected jury to parties; will start at 9:30 in the morning; Court and parties discuss the preliminary instructions and the claim construction chart; parties to be here at 9:00 a.m.

5:53 p.m. Recess